



#16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank FRANTZEN Confirmation No: Unknown
Appl. No. : 09/869,060
Filed : June 25, 2001
Title : ASSAY FOR HOMOCYSTEINE

TC/A.U. : 1641
Examiner : D. A. Davis
Petition Examiner: Brian Hearn

Docket No.: : FRAN3006/REF
Customer No: : 23364

RENEWED PETITION UNDER 37 C.F.R. § 1.137 (b)**MS Petition**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney received a decision dated August 24, 2005, on the petition under 37 CFR 1.137(b), filed March 17, 2005, in which the petition was dismissed, without prejudice. Applicant was given two months to respond to the dismissal with the possibility of obtaining an extension of time. The period for filing the Renewed Petition has been extended to expire on December 24, 2005, by the filing herewith of a Petition for a Two Month Extension of Time and payment of the required fee.

The reason for dismissal indicates that the required reply was not submitted with the petition. Accordingly, Applicant submits herewith an Amendment which is fully responsive to the to the outstanding Official Action and constitutes the required reply.

The notice also requested a showing from Karen Lee Orzechowski as to why action was not taken to prevent the application from becoming abandoned while the application was under her control. The requested showing is submitted herewith.

In addition, the notice indicates that the power of attorney filed with the petition does not comply with 37 CFR 3.73(b) in that the proper chain of title from inventor to assignee should be submitted.

Appl. No. 09/869,060
Renewed Petition dated: December 27, 2005


Applicant submits herewith a copy of an Assignment filed which transferred the rights from the inventor Frank Frantzen to Axis-Shield ASA. This assignment was recorded at the USPTO on January 3, 2002 on reel/frame 012436/0926. Applicant now believes the power of attorney is acceptable and it is requested that the undersigned attorney be made of record in this case. It is believed that all the requirements for reviving this application have been met and that the application should now be reinstated. However, if there is additional information necessary, the Petitions Examiner is invited to contact the undersigned in an effort to expedite the granting of this petition.

Accordingly, it is most respectfully requested that this renewed petition be granted and that the undersigned attorney be notified thereof.

It is believed that no further fees are due. However, the Commissioner is hereby authorized to charge any fees necessary for this petition under 37 CFR 1.137(b) to Deposit Account No. 02-0200. A duplicate copy of this paper is also enclosed.

Respectfully submitted,

BACON & THOMAS, PLLC

By: 
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Phone: (703) 683-0500
Fax: (703) 683-1080

REF/kdd
renewed petition.wpd

Date: December 27, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Frank FRANTZEN

Appl. No.: 09/869,060

Group Art Unit: 1619

Filed: June 25, 2001

Examiner:

For: ASSAY FOR HOMOCYSTEINE

STATEMENT OF KAREN ORZECZOWSKI

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Petition Examiner Hearn

Sir:

This statement is filed in response to the request by the Petition Examiner to supply a showing as to why action was not taken to prevent the application from becoming abandoned.

Apparently an office action was issued on March 25, 2003. This office action was never received by the undersigned. Accordingly, it was never docketed for reply. Since the office action was never received by the undersigned, and the undersigned was not aware of its existence, there is no correspondence from the undersigned regarding the office action of March 25, 2003. A response was not filed since the office action was not received by the undersigned.

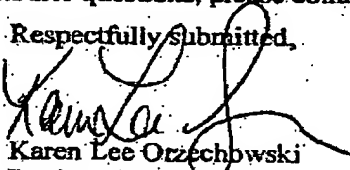
In August 2003, a status inquiry was filed, to which no response was ever received.

Apparently a notice of abandonment issued on October 2, 2003. This also was not received by the undersigned and thus was not docketed, reported nor responded to.

A renewed status inquiry was subsequently filed to which no response was ever received.

Should the Petition Examiner have any further questions, please contact the undersigned.

Respectfully submitted,


Karen Lee Orzechowski
Registration No. 31,621

Date: October 24, 2005

IP Law Specialists, LLC
1747 Pennsylvania Avenue, NW
Suite 470
Washington, DC 20006
Telephone: 202.821.9925
Facsimile: 202.330.5252



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

SERIAL NO.: 09/869,060
FILED: 25 June 2001

GROUP ART UNIT: 1641

EXAMINER:

U.S. PATENT:

ATTY. REFERENCE:

GRANTED:

INVENTOR(S): FRANTZEN, Frank
TITLE: Assay for Homocysteine

CERTIFICATE UNDER 37 CFR §3.73(b)

THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

I(We), Axis Shield ASA (Assignee Name)

hereinafter "ASSIGNEE", a Norwegian company (Type of Entity) certify that

I(we) am(are) the assignee(owner) of the entire right, title and interest in and to the patent application or patent identified above by virtue of either:

A. <input checked="" type="checkbox"/>	An assignment from the inventor(s) named in the patent application or patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel <u>2436</u> Frame <u>926</u> ; or										
B. <input type="checkbox"/>	A chain of title from the inventor(s) named in the patent application or patent identified above to ASSIGNEE, as shown below:										
1.	<table border="1"><tr><td>From:</td><td></td></tr><tr><td>To:</td><td></td></tr><tr><td colspan="2">The Document reflecting this assignment:</td></tr><tr><td colspan="2"><input type="checkbox"/> was recorded in the Patent and Trademark Office at Reel _____ Frame _____; or</td></tr><tr><td colspan="2"><input type="checkbox"/> a copy is attached.</td></tr></table>	From:		To:		The Document reflecting this assignment:		<input type="checkbox"/> was recorded in the Patent and Trademark Office at Reel _____ Frame _____; or		<input type="checkbox"/> a copy is attached.	
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2.	<table border="1"><tr><td>From:</td><td></td></tr><tr><td>To:</td><td></td></tr><tr><td colspan="2">The Document reflecting this assignment:</td></tr><tr><td colspan="2"><input type="checkbox"/> was recorded in the Patent and Trademark Office at Reel _____ Frame _____; or</td></tr><tr><td colspan="2"><input type="checkbox"/> a copy is attached.</td></tr></table>	From:		To:		The Document reflecting this assignment:		<input type="checkbox"/> was recorded in the Patent and Trademark Office at Reel _____ Frame _____; or		<input type="checkbox"/> a copy is attached.	
From:											
To:											
The Document reflecting this assignment:											
<input type="checkbox"/> was recorded in the Patent and Trademark Office at Reel _____ Frame _____; or											
<input type="checkbox"/> a copy is attached.											

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned submits that all the documents in the chain of title of the patent application or patent identified above have been reviewed and, to the best of the undersigned's knowledge and belief, title is in the ASSIGNEE identified above.

- ☒ The undersigned (whose title is supplied below) is either the ASSIGNEE, or a principal, a representative or an employee of ASSIGNEE authorized by ASSIGNEE to execute this certificate on behalf of ASSIGNEE.
- ☐ The undersigned is empowered by ASSIGNEE to execute this certificate on behalf of ASSIGNEE, and a document evidencing the undersigned's power from ASSIGNEE is appended hereto.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine, or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 23 November 2005

Signature: Erling Sunde Hagen

Name: ERLING SUNDRE HAGEN

Title: CHIEF SCIENTIFIC OFFICER

Reg. No.: _____

(If signed by a registered attorney or agent)



MARCH 04, 2002

PTAS

LINIAK, BERENATO, LONGACRE & WHITE
KAREN LEE ORZECOWSKI
6550 ROCK SPRING DRIVE - SUITE 240
BETHESDA, MD 20817

Chief Information Officer
Washington, DC 20231
www.uspto.gov



101945886A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/03/2002

REEL/FRAME: 012436/0926
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
FRANTZEN, FRANK

DOC DATE: 10/23/2001

ASSIGNEE:
ASA, AXIS SHIELD
ULVENVEIEN 87
N-0510 OSLO, NORWAY

SERIAL NUMBER: 09869060
PATENT NUMBER:

FILING DATE: 01/03/2002
ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



01-14-2002



101945886

BIO FORM PTO-1595 (1/01/02)

U.S. Department of Commerce
Patent and Trademark OfficeRECORDATION FORM COVER SHEET
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of Conveying Party:

Frank FRANTZEN

1/3/02

2. Name and Address of Receiving Party(ies):

Name: Aids Shield ASA
Unenvelen 87
N-0510 Oslo
Norway☐ Additional names of conveying parties attached.

3. Nature of Conveyance

- ☒
- Assignment
- ☐
- Merger
-
- ☐
- Security Agreement
- ☐
- Change of Name
-
- ☐
- Other:

☐ Additional name(s) and address(es) attached.

Execution Date: October 23, 2001

4. (A) Patent Application Number(s):

U.S. Serial No. 09/869,060

4. (B) Patent Number(s):

If this document is being filed together with a new application,
the execution date of the application is:☐ Additional Numbers Attached.5. Name and Address of Party to whom Correspondence
Concerning this Document Should be Mailed:Name: Karen Lee Orzechowski
Address: LINIAK, BERENATO, LONGACRE & WHITE
6550 Rock Spring Drive - Suite 240
Bethesda, Maryland 20817

6. Total Number of Applications and Patents Involved:

1

7. Total Fee:

(37 CFR 3.41)

\$ 40.00

☐ Enclosed.☒ Authorized to be charged to deposit account.

8. Deposit Account Number:

50-0548

ATTACH DUPLICATE COPY OF THIS PAGE IF PAYING BY DEPOSIT ACCOUNT.

DO NOT USE THIS SPACE

9. Statement and Signature:

To the best of my knowledge and belief, the foregoing is true and correct and any attached
copy is a true copy of the original document.

Name of Person Signing Karen L. Orzechowski, Reg. No. 31,821

Date

Attorney Docket No.: 09100.021

Total number of pages comprising cover sheet: 1

11/14/2002 RHHED1 00000081 500548 09869060
11 FC 581 40.00 CH

ASSIGNMENT

WHEREAS, I, Frank FRANTZEN, a citizen of Norway, residing at Axis Shield ASA, Ingeniørgården, N-8031 Bode, Norway, am a [co-] inventor of certain new and useful improvements (invention) in ASSAY FOR HOMOCYSTEINE, said improvements (invention) being described in an application for Letters Patent similarly titled and executed simultaneously herewith; and

WHEREAS, Axis Shield ASA, having its principal place of business at Ulvenveien 87, N-0510 Oslo, Norway, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and in any and all foreign countries.

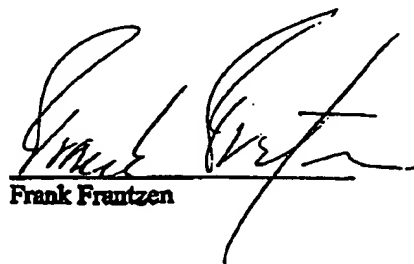
✓ NOW, THEREFORE, for valuable consideration, I, Frank Frantzen, having sold,
✓ assigned and transferred, and by these present, do sell, assign, and transfer unto said Axis Shield ASA my entire right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and my entire right, title and interest in and to
✓ any and all Letters Patent which may be granted therefore in the United States and its territorial possessions and in any and all foreign countries and in and to any and all division, reissues, continuations, and extensions thereof.

I HEREBY authorize and request the Patent Office officials in the United States and in any and all foreign countries to issue any and all said Letters Patent, when granted, to Axis Shield ASA, for the sole use and enjoyment of Axis Shield ASA, its successors and assigns.

FURTHER, I agree that I would communicate to said Axis Shield ASA, or its representatives, any facts known to me respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisions, continuations, substitutions, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Axis Shield ASA, make all rightful oaths, and, in general, do everything necessary or desirable to aid said Axis Shield ASA, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 23rd day of

October, 2001


Frank Fruntzen